

1 STATE OF NEW YORK
2 PUBLIC SERVICE COMMISSION

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In the Matter

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-of-

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Case No. 02-C-1425 - Proceedings on Motion
of the Commission to Examine the Process and
Related Costs of Performing Loop Migration
on a More Streamlined (e.g., bulk) Basis.

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EVIDENTIARY HEARING

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3rd Floor Hearing Room
Public Service Commission
Three Empire State Plaza
Albany, New York

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Tuesday, January 13, 2004
9:00 a.m.

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PRESIDING:

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ELIZABETH H. LIEBSCHUTZ

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Administrative Law Judge

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JUDGE LIEBSCHUTZ: Please read the

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question.

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(The record was read by the

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reporter.)

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BY MR. GROVES:

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Q I'm actually referring -- what I'm actually

10

referring, my question relates more to an

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interrogatory response that Verizon provided

12 rather than making specific reference to the
13 testimony but, if you could look at page 10 of
14 your testimony --

15 JUDGE LIEBSCHUTZ: Is that initial
16 or responsive, Mr. Groves?

17 MR. GROVES: Your initial
18 testimony.

19 Q (Continuing) If you would look at line 13, have
20 you got line 13 on page 10?

21 A (Witness Nawrocki) Yes.

22 Q And referring to those lines, I'm asking you
23 whether you would agree that there is existing
24 technology that would permit remote unbundling
25 of NGDLC loops without dispatching a technician?

1 A (Witness Nawrocki) What we have said in this
2 part of the testimony is that there is no
3 presently feasible or practical means to access
4 these loops in central office.

5 Q And there is no dispute -- I agree that that's
6 what you said here. I'm asking you whether --
7 whether options exist to perform that
8 unbundling.

9 A (Witness Nawrocki) At this time, the only
10 options that exist in Verizon require some type
11 of field activity to move wires.

12 Q When you say "in Verizon," you mean the options
13 that Verizon has implemented or that are
14 available in Verizon's network?

15 A (Witness Nawrocki) Options which we've
16 implemented and which we feel are operations
17 technically feasible.

18 Q All right. I'd like you to take a look at
19 Verizon's response to MCI's Interrogatory 113.

20 MR. GROVES: I think I'd like to
21 mark this as an exhibit for identification
22 purposes if I could.

23 JUDGE LIEBSCHUTZ: Certainly.

24 That would be Exhibit 6.

25 (Exhibit No. 6 was marked for

1 identification, this date.)

2 BY MR. GROVES:

3 Q You'll note in the question --

4 MR. POST: Excuse me. What's the
5 exhibit number?

6 MR. GROVES: 6, I believe.

7 JUDGE LIEBSCHUTZ: Yes.

8 Q You'll note in the question referred to in lines
9 13 through 31 of the testimony, which are the
10 lines I just asked you to review, could you read
11 to me after you've had a chance to read this
12 response and familiarize yourself with it, could
13 you read to me the language that appears at the
14 bottom of this page, the paragraph that begins
15 with "The statement." Could you read through
16 the end of that page?

17 A (Witness Nawrocki) The first sentence says,
18 "The statement quoted from page 10 of Verizon's
19 testimony refers to options other than those
20 that Verizon has implemented, as described in
21 the testimony."

22 Q And the next sentence to the end of the page,
23 please?

24 A (Witness Nawrocki) "Also, it should be noted
25 that the quoted statement does not say that

1 other options do not exist."

2 Q That's a double negative, so my question is, can

3 I interpret that quote to mean that, then, other

4 options do exist?

5 A (Witness Nawrocki) I believe our statement has

6 taken note of the fact that Telcordia has

7 identified at least at a theoretical level other

8 options that may exist.

9 Q Do you agree with that?

10 A (Witness Nawrocki) Agree with what?

11 Q Telcordia's assessment that other options do

12 exist.

13 A (Witness Nawrocki) Part of Telcordia's

14 assessment includes a number of caveats.

15 Q That's not the question I'm asking you. Can you

16 answer my question? If you feel you need to

17 explain your answer, that's fine, and I'm sure

18 Mr. Post will have an opportunity on redirect.

19 I'm asking you whether you agree with

20 Telcordia's assessment that other options exist.

21 A (Witness Nawrocki) We agree that there are

22 other options that theoretically -- that are

23 theoretically possible.

24 Q So you don't agree that the other options exist?

25 A (Witness Nawrocki) I'm sorry. I'm losing track

1 of the question.

2 Q I'm asking you whether you agree with

3 Telcordia's statement that other options --

4 other options exist. You're telling me you

5 think they are theoretically possible and that's

6 not a yes or no answer, but it sounds like a no

7 to me, so I'm just asking you for a yes or no.

8 Do you agree with Telcordia's assessment that

9 other options exist?

10 A (Witness Nawrocki) I agree other options exist

11 but Telcordia's assessment points out a number

12 of issues that have to be resolved prior to

13 implementing the options.

14 Q And I agree with you on that. I appreciate the

15 clarification.